



1AP3 Rec'd PCT/PTO 26 JAN 2006  
10/536950

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Dated: 1/24/06 Signature: *[Signature]*  
(Susan Lanney)

Docket No.: DFMP-P01-480  
(PATENT)

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re Patent Application of:

Herget *et al.*

Confirmation No.: 1016

Application No.: 10/536950

Art Unit: 1725

Filed: May 31, 2005

For: FORMULATIONS USEFUL AGAINST  
HEPATITIS C VIRUS INFECTIONS

Examiner: Not Yet Assigned

**SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT (IDS)**

MS Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

Pursuant to 37 C.F.R. §§ 1.56, 1.97 and 1.98, the attention of the Patent and Trademark Office is hereby directed to the references listed on the attached PTO/SB/08. It is respectfully requested that the information be expressly considered during the prosecution of this application, and that the references be made of record therein and appear among the "References Cited" on any patent to issue therefrom.

This Supplemental Information Disclosure Statement is filed before the mailing date of a first Office Action on the merits as far as is known to the undersigned (37 C.F.R. § 1.97(b)(3)).

Applicant has not submitted copies of each cited U.S. patent and U.S. patent application as required by 37 C.F.R. § 1.98(a)(2)(i), amended October 2004, as the U.S. Patent and Trademark Office has waived this requirement for all U.S. patent applications. Applicant submits herewith copies of foreign and non-patents in accordance with 37 C.F.R. § 1.98(a)(2).

In accordance with 37 C.F.R. § 1.97(g), the filing of this Supplemental Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information as defined in 37 C.F.R. § 1.56(a) exists. In accordance with 37 C.F.R.

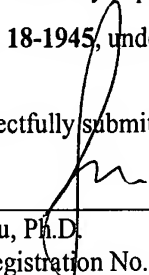
§ 1.97(h), the filing of this Supplemental Information Disclosure statement shall not be construed to be an admission that any patent, publication or other information referred to therein is "prior art" for this invention unless specifically designated as such.

It is submitted that the Supplemental Information Disclosure Statement is in compliance with 37 C.F.R. § 1.98 and the Examiner is respectfully requested to consider the listed references.

The Director is hereby authorized to charge any deficiency in the fees filed, asserted to be filed or which should have been filed herewith (or with any paper hereafter filed in this application by this firm) to our Deposit Account No. 18-1945, under Order No. DFMP-P01-480.

Dated: January 24, 2006

Respectfully submitted,

By   
Yu Lu, Ph.D.

Registration No.: 50,306  
ROPES & GRAY LLP  
One International Place  
Boston, Massachusetts 02110-2624  
(617) 951-7000  
(617) 951-7050 (Fax)  
Attorneys/Agents For Applicant



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PTO/SB/08a/b (07-05)  
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<b>Substitute for form 1449A/B/PTO</b>  <b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b>  (Use as many sheets as necessary)		<b>Complete if Known</b>			
		Application Number	10/536950		
		Filing Date	May 31, 2005		
		First Named Inventor	Thomas Herget		
		Art Unit	1725		
		Examiner Name	Not Yet Assigned		
Sheet	1	of	2	Attorney Docket Number	DFMP-P01-480

U.S. PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number-Kind Code <sup>2</sup> (if known)			
	AA*	US-4,665,098	05-12-1987	Gibbs et al.	
	AB*	US-5,391,766	02-21-1995	Klaus et al.	
	AC*	US-5,428,071	06-27-1995	Bollag et al.	
	AD*	US-6,156,312	12-05-2000	Leskovar	
	AE*	US-6,197,809	03-06-2001	Strelchenok	
	AF*	US-6,274,747	08-14-2001	Strelchenok	
	AG*	US-6,326,397	12-04-2001	Bollag et al.	
	AH*	US-6,403,554-A1	11-01-2001	Strelchenok	
	AI*	US-6,506,796	01-14-2003	Fesus et al.	
	AJ*	US-6,593,359	07-15-2003	Fesus et al.	
	AK*	US-6,686,386	02-03-2004	Fesus et al.	
	AL*	US-2001-0018425-A1	08-30-2001	Strelchenok	
	AM*	US-2001-0018456-A1	08-30-2001	Fesus et al.	
	AN*	US-2001-0037032-A1	11-01-2001	Strelchenok	
	AO*	US-2002-0143062-A1	10-03-2002	Lopez-Berestein et al.	
	AP*	US-2003-0092758-A1	05-15-2003	Fesus et al.	
	AQ*	US-2003-0180719-A1	09-25-2003	Herget et al.	
	AR*	US-2004-0053832-A1	03-18-2004	Leskovar	

FOREIGN PATENT DOCUMENTS					
Examiner Initials*	Cite No. <sup>1</sup>	Foreign Patent Document	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Country Code <sup>3</sup> -Number <sup>4</sup> -Kind Code <sup>5</sup> (if known)			
	BL	EP 0 552 624 B1	06-28-2000	F. HOFFMANN-LA ROCHE AG	

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant. \* CITE NO.: Those application(s) which are marked with an single asterisk (\*) next to the Cite No. are not supplied (under 37 CFR 1.98(a)(2)(iii)) because that application was filed after June 30, 2003 or is available in the IFW. <sup>1</sup> Applicant's unique citation designation number (optional). <sup>2</sup> See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. <sup>3</sup> Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>4</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>5</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>6</sup> Applicant is to place a check mark here if English language Translation is attached.

NON PATENT LITERATURE DOCUMENTS				
Examiner Initials	Cite No. <sup>1</sup>	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published.	T <sup>2</sup>	
	CC	CHARPENTIER et al., Synthesis, structure-affinity relationships, and biological activities of ligands binding to retinoic acid receptor subtypes. J. Med. Chem. 38(26): 4993-5006, 1995.		
	CD	DAWSON et al., Correlation of retinoid binding affinity to retinoic acid receptor alpha with retinoid inhibition of growth of estrogen receptor-positive MCF-7 mammary carcinoma cells. Cancer Res. 55(19): 4446-51, 1995.		
	CE	EYROLLES et al., Retinobenzoic acids. 6. Retinoid antagonists with a heterocyclic ring. J. Med. Chem. 37(10): 1508-17, 1994.		
	CF	HAMAMOTO et al., 9-cis retinoic acid enhances the antiviral effect of interferon on hepatitis C virus replication through increased expression of type I interferon receptor. J. Lab. Clin. Med. 141(1): 58-66, 2003.		
Examiner Signature			Date Considered	



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		Art Unit	1725		
		Examiner Name	Not Yet Assigned		
Sheet	2	of	2	Attorney Docket Number	DFMP-P01-480

CG	KAGENCHIKA et al., Inhibition of IL-1-Induced IL-6 Production by Synthetic Retinoids. Biochemical and Biophysical Research Communications 231: 243-248, 1997.
CH	KANEKO et al., Med. Chem. Res. 1: 220-225, 1991.
CI	KOCH et al., Identification of the first retinoid X <sub>1</sub> receptor homodimer antagonist. J. Med. Chem. 39(17): 3229-34, 1996.
CJ	LALA et al., Activation of specific RXR heterodimers by an antagonist of RXR homodimers. Nature 383: 450 - 453, 1996.
CK	LEE et al., A novel class of retinoid antagonists and their mechanism of action. J. Biol. Chem. 271(20): 11897-903, 1996.
CL	LOHMANN et al., Replication of subgenomic hepatitis C virus RNAs in a hepatoma cell line. Science 285(5424): 110-3, 1999.
CM	TENG et al., Identification of highly potent retinoic acid receptor alpha-selective antagonists. J. Med. Chem. 40(16): 2445-51, 1997.
CN	YOSHIMURA et al., A novel type of retinoic acid receptor antagonist: synthesis and structure-activity relationships of heterocyclic ring-containing benzoic acid derivatives. J. Med. Chem. 38(16): 3163-73, 1995.

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup>Applicant's unique citation designation number (optional). <sup>2</sup>Applicant is to place a check mark here if English language Translation is attached.

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Application No. (if known): 10/536950

Attorney Docket No.: DFMP-P01-480

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